

Message Text

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SUBJECT: REVISION OF MOZAMBIQUE'S CONSTITUTION

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1. SUMMARY MOZAMBIQUE'S NATIONAL PEOPLE'S ASSEMBLY APPROVED AUGUST 13 THE FIRST REVISIONS TO THE NATIONAL CONSTITUTION SINCE ITS PROMULGATION IN 1975 ALTERNATIONS BECAME NECESSARY BE CAUSE OF THE ELECTION OF PEOPLE'S ASSEMBLIES) "ASSEMBLEIAS DE POVO") AT LOCAL DISTRICT, AND PROVINCE LEVELS: THE CREATION OF EXECUTIVE COUNCILS AT DISTRICT AND CITY LEVELS: THE DEVELOPMENT OF A JUDICIAL SYSTEM, AND THE ELECTION OF THE NATIONAL PEOPLE'S ASSEMBLY ("ASSEMBLEIA POPULAR"). MOST OF THE MINOR CHANGES ARE CONCERNED WITH THE DUTIES AND POWERS OF THE VARIOUS ORGANS A LENGTHLY PREAMBLE WAS ALSO ADDED WHICH RECOUNTS FRELIMO'S HISTORY AND ACHIEVEMENTS AND PLEDGES THE GPRM TO FOLLOW SOCIALIST PRINCIPLES. ALTHOUGH FRELIMO HAS PROCLAIMED ITSELF A MARXIST LENIST PARTY. THE TERM MARXISM LENINISM DOES NOT APPEAR IN ANY OF THE CONSTITUTIONAL REVISIONS. END SUMMARY

2. NEW PREAMBLE TO MOZAMBIQUE'S CONSTITUTION REVIEWX
FRELIMO'S DEVELOPMENT SINCE 1962, ITS STRUGGLE FOR INDEPENDENCE.
AND ITS POLITICAL ORIENTATION. IT CALLS MOZAMBIQUE "A PEOPLE'S DEMOCRACY"
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"WHERE " ALL PATRIOTS ARE ENGAGED
IN THE BATTLE TO DESTROY THE CONSEQUENCES OF COLONIALISM, THE
DEPENDENCE ON IMPERIALISM, AND THE SYSTEM OF THE EXPLOITATION
OF MAN BY MAN", IT PLEDGES MOZAMBIQUE'S
SUPPORT FOR NATIONAL LIBERATION MOVEMENTS AND "MILITANT
INTERNATIONALISM. AT FRELIMO'S THIRD PARTY CONGRESS IN
1977. FRELIMO WAS PROCLAIMED A MARXIST LENIST PARTY"

HOWEVER, THE TERM MARXISM LENINISM IS NOT USED IN THE CONSTITUTION. UNDER THE SECTION WHICH LISTS FUNDAMENTAL OBJECTIVES OF THE MOZAMBIQUE GOVERNMENT A NEW OBJECTIVE IS "THE BUILDING OF PEOPLE'S DEMOCRACY AND THE CONSTRUCTION OF MATERIAL AND IDEOLOGICAL FOUNDATIONS OF A SOCIALIST SOCIETY.

3. TITLE III "STATE ORGANS " HAS BEEN COMPLETELY REVISED TO TAKE ACCOUNT OF THE ELECTION OF PEOPLE'S ASSEMBLIES ("ASSEMBLEIAS DE POVO") AT THE VARIOUS LEVELS OF STATE ORGANIZATION. THE PA IS CALLED THE SUPREME ORGAN OF STATE POWER AT EACH LEVEL AND IS DIRECTED BY THE PRINCIPLES OF "DEMOCRATIC CENTRALISM. THE PA IS COMPOSED OF DEPUTIES ELECTED BY THE PEOPLE. THE POWERS OF THE "ASSEMBLEIA POPULAR" NATIONAL PEOPLE'S ASSEMBLY (NPA) ARE LISTED AND ITS POSITION OF "SUPREME ORGAN OF POWER IN THE "MOZAMBIQUE IS REAFFIRMED. THE NPA AT THE NATIONAL LEVEL IS THE CULMINATION OF THE PAS AT THE LOCAL, CITY, DISTRICT, AND PROVINCE LEVELS. THE NPA AND IS PERMANENT COMMISSION SERVE AS MOZAMBIQUE'S HIGHEST LEGISLATIVE ENTITY.

4. THE POWERS OF THE PRESIDENT OF FRELIMO, WHO ALSO SERVES AS THE PRESIDENT OF MOZAMBIQUE, ARE BASICALLY UNCHANGED. FOR THE FIRST TIME, THE COUNCIL ON MINISTERS (CM) IS DESIGNATED AS THE ENTITY RESPONSIBLE FOR THE EXECUTION OF DECISIONS MADE BY THE PRESIDENT AND THE NPA. UNCLASSIFIED

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ANOTHER REVISION MAKES THE MEMBERS OF THE CM " PERSONALLY RESPONSIBLE FOR THE DECISION AND ACTIONS OF THE CM"

5. MOZAMBIQUE'S DEVELOPING JUDICIAL SYSTEM IS ELABORATED IN GREATER DETAIL AND THE SYSTEM IS MADE RESPONSIBLE TO THE NPA. COURTS ARE CHARGED WITH UPHOLDING THE CONSTITUTION, DEFENDING THE INTERESTS OF THE PEOPLE, AND EDUCATING THE PEOPLE ON LEGAL MATTERS. NO MENTION IS MADE OF THE ACCUSED HAVING THE RIGHT TO COUNSEL AND MOZAMBIQUE ABOLISHED THE PRIVATE PRACTICE OF LAW IN 1975.

6. COMMENT: IN THE LAST THREE MONTHS THE MOZAMBIQUE GOVERNMENT HAS CONDUCTED A SERIES OF MEETINGS THROUGHOUT THE COUNTRY FOR THE PURPOSE OF EXPLAINING THE PROPOSED AMENDMENTS AND SOLICITING COMMENTS. THESE MEETINGS GAVE THE LOCAL PEOPLE'S ASSEMBLIES THE CHANCE TO PARTICIPATE IN THE REVISION PROCESS. IN VIEW OF THE ATTENTION DEVOTED TO THE PROCESS OF CONSULTATIONS, THE ACTUAL ALTERATIONS ARE RELATIVELY MINOR. THE ONLY SIGNIFICANT REVISIONS DEAL WITH THE FORMALIZATION OF THE ROLES OF THE SUB-ORDINATE PEOPLE'S ASSEMBLY. AND THEIR PARENT ORGAN THE NATIONAL PEOPLE'S ASSEMBLY. EMBASSY WILL POUCH REVISED

CONSTITUTION AS SOONE AS AVAILABEL.
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